

EXHIBIT

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GENTILE

davidlopezesq@aol.com <davidlopezesq@aol.com>
Reply-To: "davidlopezesq@aol.com" <davidlopezesq@aol.com>
To: aford@fordobrien.com

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Adam --

No.

Fugitive disentitlement is not based on the existence of an arrest warrant. It is based on Mr. Gentile's absconding and failing to participate in post-judgment proceedings.

Withdrawal of the warrant will need to be part of any negotiation and if there is a settlement withdrawal will likely be part of the agreement.

David